

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEIF PETER LARSEN,

Defendant.

CR 21-14-M-DLC

ORDER

Before the Court is United States Magistrate Judge Kathleen L. DeSoto's Findings & Recommendation Concerning Plea. (Doc. 105.) Because neither party objected, they are not entitled to *de novo* review. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Mr. Larsen is charged by Indictment with one count of conspiracy in violation of 18 U.S.C. § 371 (Count I), one count of interstate transportation of stolen property, in violation of 18 U.S.C. §§ 2314 and 2 (Count II), two counts of interstate transport of stolen vehicles, in violation of 18 U.S.C. §§ 2312 and 2

(Counts V and VII), and one count of interstate transportation of stolen firearms, in violation of 18 U.S.C. §§ 922(i) and 2 (Count X). (Doc. 8.)

Judge DeSoto recommends that this Court accept Mr. Larsen's guilty plea to Count VII after he appeared before her pursuant to Federal Rule of Criminal Procedure 11. The Court finds no clear error in Judge DeSoto's Findings and Recommendation and adopts them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Judge DeSoto's Findings and Recommendation (Doc. 105) is ADOPTED in full.

IT IS FURTHER ORDERED that Mr. Larsen is adjudged guilty as charged in Count VII of the Indictment (Doc. 8).

DATED this 23rd day of November, 2021.



---

Dana L. Christensen, District Judge  
United States District Court